

#5



UNITED STATES PATENT AND TRADEMARK OFFICE

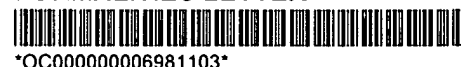
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/899,569	07/06/2001	Norbert Schweifer	0652.2280001

CONFIRMATION NO. 1574

26111
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1100 NEW YORK AVENUE, N.W., SUITE 600
WASHINGTON, DC 20005-3934

FORMALITIES LETTER



OC000000006981103

#5

Date Mailed: 10/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/899,569 00000076 09899569

FILED UNDER 37 CFR 1.53(b)

740.00 OP
130.00 OP
130.00 OP
280.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- **The balance due by applicant is \$ 970.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text)

see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

20250206 09:56:00

**Sterne Kessler
Goldstein Fox**
ATTORNEYS AT LAW



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugalsky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Jeffery T. Helvey
Heidi L. Kraus
Crystal D. Sayles
Edward W. Yee
Albert L. Ferro
Donald R. Banowitz
Peter A. Jackson
Molly A. McCall
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Albert J. Fasulo II
Eldora Ellison Floyd
W. Russell Swindell

Fiala
Bianca Del Buono
Virgil Lee Beason
Reginald D. Lucas
Kimberly M. Reddick
Theodore A. Wood
Elizabeth J. Haanes
Bruce E. Chalker
Joseph S. Ostroff
Frank R. Cottingham
Christine M. Uhler
Rae Lynn Prengaman
Jane Shershenovich
Lawrence J. Carroll

Senior Counsel
Samuel L. Fox
Kenneth C. Bass III

Registered Patent Agents
Karen R. Markowicz
Andrea J. Kamage
Nancy J. Leith
Joseph M. Conrad III
Ann E. Summerfield
Helene C. Carlson
Gaby L. Longworth
Matthew J. Dowd
Aaron L. Schwartz
Angelique G. Uy
Boris A. Matvenko
Mary B. Tung

*Admitted only in Maryland
*Admitted only in Virginia
*Admitted only in Texas

February 26, 2002

WRITER'S DIRECT NUMBER:

(202) 371-2606

INTERNET ADDRESS:

anns@skgf.com

Commissioner for Patents
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Utility Patent Application
Appl. No. 09/899,569; Filed: July 6, 2001
For: **Tumorassoziertes Antigen (B345)**
Inventors: SCHWEIFER *et al.*
Our Ref: 0652.2280001/EKS/AES

Sir:

In reply to the "Notice to File Missing Parts of Nonprovisional Application--Filing Date Granted," dated October 26, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal (PTO/SB/17);
2. Petition for Extension of Time under 37 C.F.R. §1.136(a)(1);
3. Copy of the Notice to File Missing Parts;
4. Original Declaration, executed by the inventors;
5. An original executed Power of Attorney from Assignee;
6. Certificate Under 37 C.F.R. § 3.73(b) with copy of Assignment attached;

7. English translation of Application under 37 C.F.R. §1.52(d)(1) with Verification of Translation attached and including substitute drawings in compliance with 37 C.F.R. §1.84;
8. Submission of Accurate Translation of Provisional Application under 37 C.F.R. § 1.78(a)(5);
9. English translation of U.S. Provisional Application No. 60/297,747, with Verification of Translation attached under 37 C.F.R. §1.78(a)(5);
10. **28** pages of a paper copy of a sequence listing along with a computer readable copy of the sequence listing;
11. Amendment and Submission of Substitute Sequence Listing Under 37 C.F.R. §1.825(a);
12. Submission of Certified Copy of 35 U.S.C. §119(a)-(d) Priority Document in Utility Application;
13. Certified Copy of German Priority Document **DE 101 19 294.0**;
14. Certified Copy of German Priority Document **DE 100 33 080.0**;
15. Our check no. **34313** for **\$1,680.00** to cover:
 - \$740.00** - application filing fee;
 - \$280.00** - multiple claim fee;
 - \$400.00** - two (2) month extension of time fee;
 - \$130.00** - late Declaration surcharge fee; and
 - \$130.00** - English language translation fee; and
16. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent

Commissioner for Patents
February 26, 2002
Page 3

abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Ann E. Summerfield
Agent for Applicants
Registration No. 47,982

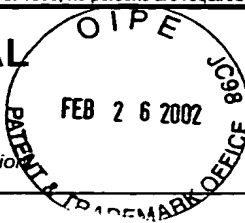
EKS/AES:kim:amr
Enclosures

P:\USERS\Ann\Angela\0652\0652.2280001\NFMPCvrLtr

2003220 " 695668650

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.



Complete if Known

Application Number	09/899,569
Filing Date	July 6, 2001
First Named Inventor	SCHWEIFER
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No.	0652.2280001/EKS/AES

TOTAL AMOUNT OF PAYMENT (\$)
1,680.00

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number: 19-0036
Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed: Check No. 34313

- ☒ Check ☐ Credit card ☐ Money Order ☒ Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION

I. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	\$740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1) (\$)					740.00

2. EXTRA CLAIM FEES

	Extra	Fee from below	Fee Paid
Total Claims 11	- 20** = 0	X	=
Indep. Claims 1	- 3** = 0	X	=
Multiple Dependent	280.00		= \$280.00

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim
108	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	\$130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	\$130.00
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	\$400.00
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Complete (if applicable)

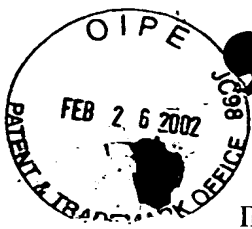
Name (Print/Type)	Ann E. Summerfield	Registration No. (Attorney/Agent)	47,982	Telephone	202-371-2600
Signature	<i>Ann E. Summerfield</i>	Date	February 26, 2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 10/01/01 mnac

NFMPFeeTransmit



#7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Schweifer *et al.*

Appl. No. 09/899,569

Filed: July 6, 2001

For: **Tumorassoziertes Antigen (B345)**

Confirmation No. 1574

Art Unit: *To Be Assigned*

Examiner: *To Be Assigned*

Atty. Docket: 0652.2280001/EKS/AES

**Submission of Accurate Translation of Provisional
Application under 37 C.F.R. § 1.78(a)(5)**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with 37 C.F.R. § 1.78(a)(5), submitted herewith is a translation of Applicants' U.S. provisional application priority document, U.S. Appl. No. **60/297,747**. The translation is accurate. This submission is being made within the later of four months from the actual filing date of the above-captioned nonprovisional application or sixteen months from the filing date of the provisional application. Prompt acknowledgment of this submission is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Ann E. Summerfield
Agent for Applicants
Registration No. 47,982

Date: February 26, 2002

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600



DECLARATION

I, Jane Roberta Mann, B.A., a Translator, of Frank B. Dehn & Co., 179 Queen Victoria Street, London, EC4V 4EL, do declare that I have a competent knowledge of the English and German languages and that the document that is annexed hereto is a true and accurate translation of the text of U.S. Appln. No. 09/899,569, filed July 6, 2001 (BI Ref. No. 12/214,219-US).

I further declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true.

I acknowledge that wilful false statements and the like are punishable by fine or imprisonment, or both [18 U.S.C. 1001] and may jeopardize the validity of the application or any patent issuing thereon.

A handwritten signature in cursive script that reads "Jane Mann". The signature is written over a horizontal line.

Signed this 19th day of February, 2002

09899569-022602